

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA

:

- v. -

SEALED

SUPERSEDING INDICTMENT

DAVID SCHWARTZ,
a/k/a "David Schwarcz,"
ROBERT RIMBERG, and
FRANCISCO SAEZ,
a/k/a "Frank Saez,"
Defendants.

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:

COUNT ONE

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/5/16

The Grand Jury charges:

1. From in or about 2009 up through and including in or about 2011, in the Southern District of New York and elsewhere, DAVID SCHWARTZ, a/k/a "David Schwarcz," ROBERT RIMBERG, and FRANCISCO SAEZ, a/k/a "Frank Saez," the defendants, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to violate Sections 1956(a)(3)(A) and 1956(a)(3)(B) of Title 18, United States Code.

2. It was a part and an object of the conspiracy that DAVID SCHWARTZ, a/k/a "David Schwarcz," ROBERT RIMBERG, and FRANCISCO SAEZ, a/k/a "Frank Saez," the defendants, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, unlawfully, willfully and knowingly would and did

conduct certain financial transactions involving property represented to be the proceeds of specified unlawful activity, to wit, narcotics trafficking, with the intent to promote the carrying of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(3)(A).

3. It was a further part and an object of the conspiracy that DAVID SCHWARTZ, a/k/a "David Schwarcz," ROBERT RIMBERG, and FRANCISCO SAEZ, a/k/a "Frank Saez," the defendants, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, unlawfully, willfully and knowingly would and did conduct certain financial transactions involving property represented to be the proceeds of specified unlawful activity, to wit, narcotics trafficking, with the intent to conceal and disguise the nature, the location, the source, the ownership and the control of property believed to be the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(3)(B).

(Title 18, United States Code, Section 1956(h).)

FORFEITURE ALLEGATION

4. As the result of committing the offense alleged in Count One of this Indictment, DAVID SCHWARTZ, a/k/a "David Schwarcz," ROBERT RIMBERG, and FRANCISCO SAEZ, a/k/a "Frank Saez," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real and

personal, involved in the offenses alleged in Count One of this Indictment, or any property traceable to such property.

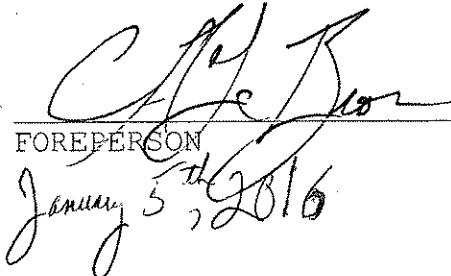
SUBSTITUTE ASSET PROVISION

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853.)


C.H. Barr
FOREPERSON
January 5, 2016


Preet Bharara
PREET BHARARA
United States Attorney

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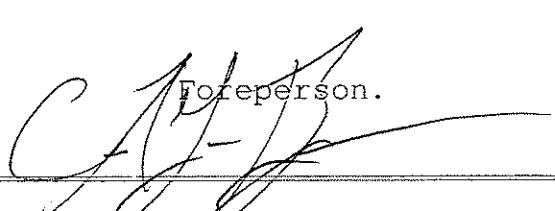
SEALED SUPERSEDING
INDICTMENT

S1 15 Cr. 835 (JGK)

(21 U.S.C. § 1956(h).)

PREET BHARARA
United States Attorney.

A TRUE BILL


Foreperson.

1/5/16 - Filed Sealed Superseding Indictment
dc
JW issued


Jack
W. Mizner